

XIV. NATIONAL RIVERS

1. New River Gorge

PUBLIC LAW 104-333—NOV. 12, 1996

110 STAT. 4093

Public Law 104-333  
104th Congress

An Act

To provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer, and for other purposes.

Nov. 12, 1996  
[H.R. 4236]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

This Act may be cited as the “Omnibus Parks and Public Lands Management Act of 1996”.

Omnibus Parks and Public Lands Management Act of 1996.  
16 USC 1 note.

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DIVISION I

110 STAT. 4097

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TITLE IV—RIVERS AND TRAILS

110 STAT. 4145

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SEC. 406. WEST VIRGINIA NATIONAL RIVERS AMENDMENTS OF 1996.

110 STAT. 4149

(a) AMENDMENTS PERTAINING TO THE NEW RIVER GORGE NATIONAL RIVER.—

(1) BOUNDARIES.—Section 1101 of the National Parks and Recreation Act of 1978 (16 U.S.C. 460m-15) is amended by striking out “NERI-80,023, dated January 1987” and inserting “NERI-80,028A, dated March 1996”.

(2) FISH AND WILDLIFE MANAGEMENT.—Section 1106 of the National Parks and Recreation Act of 1978 (16 U.S.C. 460m-20) is amended by adding the following at the end thereof: “The Secretary shall permit the State of West Virginia to undertake fish stocking activities carried out by the State, in consultation with the Secretary, on waters within the boundaries of the national river. Nothing in this Act shall be construed as affecting the jurisdiction of the State of West Virginia with respect to fish and wildlife.”

110 STAT. 4150

(3) CONFORMING AMENDMENTS.—Title XI of the National Parks and Recreation Act of 1978 (16 U.S.C. 460m-15 et seq.) is amended by adding the following new section at the end thereof:

“SEC. 1117. APPLICABLE PROVISIONS OF OTHER LAW.

16 USC  
460m-30.

“(a) COOPERATIVE AGREEMENTS.—The provisions of section 202(e)(1) of the West Virginia National Interest River Conservation Act of 1987 (16 U.S.C. 460ww-1(e)(1)) shall apply to the New River Gorge National River in the same manner and to the same extent as such provisions apply to the Gauley River National Recreation Area.

“(b) REMNANT LANDS.—The provisions of the second sentence of section 203(a) of the West Virginia National Interest River Conservation Act of 1987 (16 U.S.C. 460ww-2(a)) shall apply to tracts of land partially within the boundaries of the New River Gorge National River in the same manner and to the same extent as

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such provisions apply to tracts of land only partially within the Gauley River National Recreation Area.”

16 USC  
460m-29a.

(b) VISITOR CENTER.—The Secretary of the Interior is authorized to construct a visitor center and such other related facilities as may be deemed necessary to facilitate visitor understanding and enjoyment of the New River Gorge National River and the Gauley River National Recreation Area in the vicinity of the confluence of the New and Gauley Rivers. Such center and related facilities are authorized to be constructed at a site outside of the boundary of the New River Gorge National River or Gauley River National Recreation Area unless a suitable site is available within the boundaries of either unit.

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110 STAT. 4281

Approved November 12, 1996.

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LEGISLATIVE HISTORY—H.R. 4236:

CONGRESSIONAL RECORD, Vol. 142 (1996):

Sept. 28, considered and passed House.

Oct. 3, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):

Nov. 12, Presidential remarks and statement.



**2. Ozark National Scenic Riverways**

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**DIVISION I**

110 STAT. 4097

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**TITLE VIII—MISCELLANEOUS ADMINISTRATIVE AND MANAGEMENT PROVISIONS**

110 STAT. 4186

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**SEC. 803. FERAL BURROS AND HORSES.**

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(b) OZARK NATIONAL SCENIC RIVERWAYS.—Section 7 of the Act entitled “An Act to provide for the establishment of the Ozark National Scenic Riverways in the State of Missouri, and for other purposes”, approved August 27, 1964 (16 U.S.C. 460m-6), is amended to read as follows:

“SEC. 7. (a) The Secretary, in accordance with this section, shall allow free-roaming horses in the Ozark National Scenic Riverways. Within 180 days after enactment of this section, the Secretary shall enter into an agreement with the Missouri Wild Horse League or another qualified nonprofit entity to provide for management of free-roaming horses. The agreement shall provide for cost-effective management of the horses and limit Federal expenditures to the costs of monitoring the agreement. The Secretary shall issue permits for adequate pastures to accommodate the historic population level of the free-roaming horse herd, which shall be not less than the number of horses in existence on the date of the enactment of this section nor more than 50.

Contracts.

110 STAT. 4187

“(b) The Secretary may not remove, or assist in, or permit the removal of any free-roaming horses from Federal lands within the boundary of the Ozark National Scenic Riverways unless—

“(1) the entity with whom the Secretary has entered into the agreement under subsection (a), following notice and a 90-day response period, substantially fails to meet the terms and conditions of the agreement;

“(2) the number of free-roaming horses exceeds 50; or

“(3) in the case of an emergency or to protect public health and safety, as defined in the agreement.

“(c) Nothing in this section shall be construed as creating liability for the United States for any damages caused by the

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free-roaming horses to property located inside or outside the boundaries of the Ozark National Scenic Riverways.”

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110 STAT. 4281            Approved November 12, 1996.

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